

ORDINANCE NO. 2014-54

ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF HIALEAH, FLORIDA, FOR THE FISCAL YEAR 2014-2015 COMMENCING ON OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015, IN THE TOTAL AMOUNT OF \$96,451,881 INCLUSIVE OF THE SOLID WASTE BUDGET AS PROVIDED HEREIN; AND APPROVING WATER AND SEWER RATE INCREASES, AS ATTACHED HERETO, TO HELP OFFSET WHOLESALE WATER AND SEWER RATE INCREASES IMPOSED BY MIAMI DADE COUNTY EFFECTIVE OCTOBER 1, 2014, IN CONJUNCTION WITH A CONSUMER PRICE INDEX (CPI) ADJUSTMENT AND TO MAINTAIN PROPER RATIOS OF OPERATING REVENUES AND OPERATING EXPENSES AS REQUIRED BY LOAN AGREEMENTS AND THE SOLID WASTE BUDGET OF \$16,162,229 WHICH REPRESENTS NO INCREASE IN SOLID WASTE FEES AND CHARGES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTY FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, effective October 1, 2014, the Miami-Dade Water and Sewers Department has advised the City that the wholesale water rate of \$1.7142 per 1,000 gallons will be increased to \$1.786 per 1,000 gallons from the previous year and the wholesale wastewater or sewer rates will increase from \$2.4523 per 1,000 gallons on average (wet/dry seasons) to \$2.5600 per 1000 gallons (wet/dry seasons) for Fiscal Year 2014-2015; and

WHEREAS, the wholesale water rate of \$1.7816 per 1,000 gallons is established following the expiration of the wholesale water rate discount in accordance with a City-County agreement dated October 6, 2008 phasing-out the wholesale water rate discount received by the City; and

WHEREAS, the City finds that it is in the best interest to recoup and help defray the increases imposed by Miami Dade County and that the City will continue to pay Miami Dade County for the purchase of its water and disposal of its wastewater; and

WHEREAS, the Department of Public Works is required by loan agreements to maintain ratios of operating income to operating expenses; and

WHEREAS, based on the City's intent to privatize waste collection services before the end of the second quarter of Fiscal Year 2014-2015, the Solid Waste Division Budget, as proposed, considers revenue from the sale of equipment and the lease of facilities, as additional revenue sources beginning on March 1, 2015; and

WHEREAS, the Solid Waste Division Budget also presupposes a decrease in the residential solid waste fee based on the savings experienced through privatization; and

WHEREAS, the Department of Public Works has budgeted positions within the Water and Sewers Division to accommodate all full-time employees that decide to stay with the City from the Solid Waste Division;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The budget of the Department of Public Works of the City of Hialeah, as attached hereto and made a part hereof, in the amount of \$80,289,652.00 for Water and Sewers and \$16,162,229.00 for Solid Waste for a total budget of \$96,451,881.00, for the Fiscal Year 2014-2015 commencing on October 1, 2014 and ending September 30, 2015, is hereby approved and adopted.

Section 3: The City of Hialeah, Florida hereby approves retail water and sewer rates and miscellaneous fees and charges in conjunction with a Consumer Price (CPI) adjustment as attached hereto and made a part hereof as Exhibit "1".

Section 4: The City of Hialeah, Florida hereby approves water rate increase to help offset wholesale rate increases in an amount equal to the increase wholesale sewer rate of \$1.7816 per 1,000 gallons imposed by Miami Dade County by action of the Board of County Commissioners, in conjunction with a Consumer Price (CPI) adjustment.

Section 5: The City of Hialeah, Florida hereby approves sewer rate increase to help offset wholesale rate increases in an amount equal to the increase wholesale sewer rate of \$2.5600 per 1,000

gallons imposed by Miami Dade County by action of the Board of County Commissioners, in conjunction with a Consumer Price (CPI) adjustment.

Section 6: The City of Hialeah, Florida hereby confirms and approves the annual Consumer Price Index (CPI) adjustment of water and sewer rates pursuant to Hialeah Code § 94-153(c), in the amount of 2.3% designated "Consumer Price Index for All Urban Consumers (CPI)" as issued by the Bureau of Labor Statistics.

Section 7: The City of Hialeah, Florida hereby approves adjustments to water and sewer rates to maintain proper operating ratios of operating revenues to operating expenses as for Fiscal Year 2014-2015 required by loan agreement

Section 8: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 9: Penalties.

Any person, business, association, corporation, partnership or other legal entity who violates any of the provisions of this ordinance shall be assessed a civil penalty, up to a maximum of \$500.00, within the discretion of the court or administrative tribunal having jurisdiction. Each day that a violation continues shall constitute a separate violation.

Section 10: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 11: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 22 day of September, 2014.



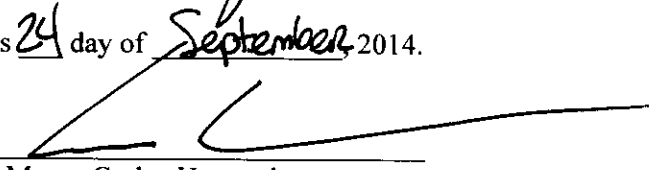
Isis Garcia-Martinez
Council President

Attest:

Approved on this 24 day of September, 2014.



Marbelys Fatjo, Acting City Clerk



Mayor Carlos Hernandez

Approved as to legal sufficiency and form:



Lorena E. Bravo, Acting City Attorney

Ordinance was adopted by a 6-1-0 vote with Council Members Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Hernandez, and Lozano voting "Yes", Council Vice President Gonzalez voting "No".

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THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.

City of Hialeah					
Department of Water and Sewers			Rates Charges are for units of 100 Gallons for water and sewers		
FY 2014-2015 Retail Water and Sewers Rates					
Service	FY 2013-2014		FY 2014-2015		
	Monthly	Bi-Monthly	Monthly	Bi-Monthly	
Water					
Readiness to					
Serve Fees	4.65	9.31	4.76	9.52	
100-5000	0.202	0.202	0.219	0.219	
5000-10000	0.218	0.202	0.236	0.219	
10001-20000	0.229	0.218	0.248	0.236	
20001-40000	0.249	0.237	0.271	0.257	
40001-50000	0.24	0.249	0.282	0.264	
50001-100000	0.271	0.249	0.294	0.271	
over 100000	0.271	0.271	0.294	0.294	
Rates Charges are for units of 100 Gallons for water and sewers					
Sewers					
Readiness to	4.81	9.4	4.92	9.62	
Serve Fees					
100-5000	0.417	0.417	0.454	0.454	
5000-10000	0.449	0.417	0.489	0.454	
10001-20000	0.464	0.449	0.505	0.489	
20001-40000	0.53	0.485	0.577	0.528	
40001-50000	0.53	0.53	0.577	0.577	
50001-100000	0.534	0.534	0.582	0.582	
over 100000	0.534	0.534	0.582	0.582	

Rates Charges are for units of 100 Gallons for water and sewers

Fatjo, Marbelys

From: Vidal, Armando
Sent: Thursday, September 04, 2014 8:55 AM
To: Beecher, Ines F.; Bravo, Lorena; Fatjo, Marbelys
Cc: 'Karl Holzenberg' (kholzenberg@milianswain.com); Rodriguez, Haydee; Cosculluela, Yirelis
Subject: 2014-2015 Retail Rates
Attachments: Public Works Budget Retail Rates 14-15 September 4, 2014368.pdf

The attached table is to be incorporated into the Department of Public Works budget ordinance.

Any questions please advise.

AV.